

2. [REDACTED]
[REDACTED]² [REDACTED]
[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

3. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

4. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

5. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

2 [REDACTED]
3 [REDACTED]

6. [REDACTED]

7. [REDACTED]

PARTIES

8. Plaintiff Pfizer Inc., is a global pharmaceutical company, ranking first in sales in the world. In 2010, Pfizer reported revenues of \$67.8 billion. Pfizer is a Delaware corporation, with its headquarters at 235 East 42nd Street, New York, New York.

9. Defendant Mylan, Inc., is a generic and specialty pharmaceuticals company. In 2010, Mylan, Inc., claimed revenues of \$5.093 billion. Mylan, Inc. is a Pennsylvania corporation, with its headquarters at 1500 Corporate Drive, Cannonsburg, Pennsylvania.

10. Defendant Mylan Pharmaceuticals Inc. is a subsidiary of Mylan, Inc. Mylan Pharmaceuticals Inc. is West Virginia corporation, with its principal place of business at 781 Chestnut Ridge Road, Morgantown, West Virginia.

11. Defendant Matrix Laboratories LTD. (“Matrix”) is a producer of active pharmaceutical ingredients for generic drugs. Matrix is headquartered in Secunderabad, India. It was acquired by Mylan, Inc. in 2007.

JURISDICTION

12. The United States District Court for the District of Delaware has subject matter jurisdiction over this matter where, as here, there is diversity of citizenship and the amount in controversy exceeds \$75,000 exclusive of interest and costs.

13. Personal jurisdiction is proper in this Court because [REDACTED]

[REDACTED]

Mylan has sufficient contacts with the State of Delaware to support the exercise of personal jurisdiction.

14. Venue is proper in this District pursuant to the provisions of Title 28, United States Code, Sections 1391(a), (c), and (d).

FACTS

15. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

16. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

17. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]⁴ [REDACTED]

[REDACTED]

[REDACTED]

18. [REDACTED]

[REDACTED]⁵ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

19. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁴ [REDACTED]

⁵ Abbreviated New Drug Application.

20.

[REDACTED]

•

[REDACTED]

•

[REDACTED]

•

[REDACTED]

•

[REDACTED]

[REDACTED]

21.

[REDACTED]

[REDACTED]

[REDACTED]

22.

[REDACTED]

⁶ 21 U.S.C. § 355(j)(5)(B)(iii) and 21 C.F.R. § 314.107(b)(3)(i)(A).

[REDACTED]

23. [REDACTED]

[REDACTED]

24. [REDACTED]

[REDACTED]⁸ [REDACTED]

25. [REDACTED]

[REDACTED]

⁷ [REDACTED]

⁸ A Paragraph IV certification is a statement that the patent on the drug that is the subject of the ANDA is invalid or will not be infringed by the applicant's product.

[REDACTED]

[REDACTED]⁹

26. [REDACTED]

[REDACTED]

[REDACTED]¹⁰

27. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

28. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

29. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁹ [REDACTED]

¹⁰ [REDACTED]

- [REDACTED]

- [REDACTED]

[REDACTED]

30. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

31. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

32. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

33. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

34. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

35. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹¹ [REDACTED]

36. [REDACTED]

COUNT I

37. Pfizer reincorporates Paragraphs 1-36 as if fully set forth herein.

38. [REDACTED]

39. [REDACTED]

40. [REDACTED]

41. [REDACTED]

42. [REDACTED]

COUNT II
(Declaratory Judgment)

43. Pfizer reincorporates Paragraphs 1-42 as if fully set forth herein.

44. [REDACTED]

[REDACTED]

45. [REDACTED]

[REDACTED]

46. [REDACTED]

[REDACTED]

WHEREFORE, Pfizer respectfully requests that the Court enter judgment in its favor and against Mylan as follows:

(A) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(B) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(C) [REDACTED]

[REDACTED]

[REDACTED]

(D) [REDACTED]

[REDACTED]

(E) Granting such other and further relief as is equitable and just.

CONNOLLY BOVE LODGE & HUTZ LLP

/s/ Jeffrey B. Bove

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Dated: March 31, 2011